



Chicago Bar Memorials.

1894.







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In Memory
OF THE
Members of the Chicago Bar
WHO HAVE
Died during the Year 1894.

PREPARED UNDER THE AUSPICES
OF THE
CHICAGO BAR ASSOCIATION.

Memorial Committee :

1894.

GEORGE A. FOLLANSBEE, WM. R. PAGE,
JULIUS ROSENTHAL, HENRY S. TOWLE,
SIDNEY C. EASTMAN.

Memorial Committee :

1895.

HENRY S. TOWLE, THOMAS B. MARSTON,
JOHN J. KNICKERBOCKER, HENRY M. BACON,
SAMUEL KERR.

THOMAS DENT, WILLIAM D. McILVAINE,
PRESIDENT. SECRETARY.

In Memoriam.

W. C. MINARD,	January 12, 1894.
WILLIAM C. EVERETT, J. P.,	February 1, 1894.
NOAH E. GARY,	February 5, 1894.
MYRA BRADWELL,	February 14, 1894.
W. C. LANGLEY,	February 15, 1894.
HUGH A. WHITE,	March 23, 1894.
MILTON T. PETERS,	April 2, 1894.
CHARLES W. GRIGGS,	April 7, 1894.
WILLIAM W. FARWELL,	April 30, 1894.
W. J. GOUDY,	May 26, 1894.
OTIS K. A. HUTCHINSON,	June 16, 1894.
THOMAS S. WRIGHT,	July 26, 1894.
CYRUS M. HAWLEY,	August 6, 1894.
BURTON C. COOK,	August 18, 1894.
WILLIAM E. CLARKE, JR.,	October 6, 1894.
WILLIAM M. LUFF,	October 9, 1894.
PHILIP A. HOYNE,	November 3, 1894.
E. P. HILLIARD,	November 27, 1894.
SHERWOOD DIXON,	December 2, 1894.
HENRY S. WALDRON,	December 22, 1894.



PRELUDE.

LIKE one who sits at evening musing on the departed day, we rest awhile in the long shadows of the fading year, recalling with fond recollection our brothers who, during the year, have closed their docket, locked their office doors forever, and moved

“To that mysterious realm where each shall take
His chamber in the silent halls of death.”

How long the list has grown since first we kept a record! How they have lived and wrought and become a great part of the history of this grand community. The men who, in the even tenor of life, have brought confidence in and honor to our profession; the bright, strong woman who opened the door of our temple to her sex and nobly justified her claim to serve within its walls; the man who built up and guided the mighty corporation; the man who held uncounted thousands in his trust until they grew to millions; men who, in the

quiet of their offices, have wielded an influence for right and for progress; men whose skill, integrity and learning, have made our bench and bar its reputation; whole firms of noble men; men in the morning of life, cut down by the assassin's hand; men in the noon and evening of life, ripe in experience and rich in thought; men whose names are household words; men revered and trusted; men with hope as we hope now. We knew them well. All are gone. The record of their thoughts, their words and deeds is closed, and we offer the silent tribute of this volume that their names may live among us and the memory of their lives remain to strengthen, cheer and inspire us till we, departing, add the memory of our lives to theirs.

We do not forget the hallowed circles in which each one of them is mourned with a sorrow we may not enter. In that presence, with bowed heads, we breathe a prayer for consolation. May we not with those who loved them dearest, gather some sunshine and learn some lesson from their examples? Shall not our lives take on a richer, truer meaning among ourselves?

They passed from our sight into the darkness of life's night and on into eternity's dawn. They have heard the angels say, GOOD MORNING.

With wistful eyes we scan the horizon into which they took their way—these friends we have “loved

and lost awhile," and as we stand and look we waive a long farewell.

Hail, brothers who have gone before, *auf wiedersehen*.

Christian C. Kohlsaat.



NOAH E. GARY was born September 8, 1844, upon a farm in DuPage County, about thirty miles west from Chicago, within a dozen years after the peril of life among hostile Indians had ceased in the neighborhood.

Trained to manual labor upon a farm ; obtaining such education as the public schools could give, added to by attendance a couple of terms at Wheaton College ; a soldier in the war of the rebellion before he was eighteen years old ; discharged, after two and a half years service, disabled by four bullets, received at the battle of Resaca ; a cripple for many months ; such was the preparation of Noah E. Gary for a change in his pursuits which ended in his adopting the law as a profession.

His first step toward it was taking employment as deputy in the office of the clerk of the Superior Court in Chicago. There my acquaintance with him began.

Although our family name was the same, the relationship, if any existed between us, was too remote to be traced.

When admitted to the bar in January, 1875, he became an office lawyer. He was not—probably could not have become—an advocate in jury trials, and his business associations were such that there was no occasion that he should make an effort in that

direction; but he was a wise and prudent counsellor, specially qualified in the law of real property, and the doctrines and practice of courts of equity.

His intense nature made the cause of his client his own, and the very excess of his zeal brought with it something of that infirmity that attends the efforts of whoever pleads his own cause.

His example remains as an encouragement to all members of the profession of a temperament like his, of how useful to clients, how highly respectable and respected a lawyer may be, who devotes an earnest industry, a wide knowledge of the books of his profession, business ability, and unswerving honesty in his dealings with all men, to the duties of daily life. Such men dignify our profession.

It is only of him as a lawyer that I may write. His domestic relations; his services as a public spirited citizen in Wheaton, where he resided, though his law office was in Chicago; his social and religious affiliations are not topics for this paper.

He died before he was fifty years old; at an age when the professional man is at his best, and at which he has but fairly begun to earn the reputation to which his after labors may entitle him.

Regretted, mourned, and remembered with sorrowful affection by a large circle of friends both in and out of our profession; Soldier, Citizen, Lawyer; he has left a stainless name.

Joseph E. Gary.



MYRA BRADWELL—IN MEMORIAM.—Among the members of the Chicago Bar who have passed away during the year now closing, is one whose life presents many interesting peculiarities, and who made for herself, and will always occupy, a niche as unique as it is conspicuous and creditable.

Myra Bradwell, the daughter of Eben and Abigail Willey Colby, was born in Manchester, Vermont, February 12, 1831, and when about twelve years of age came with her parents to Illinois, where she resided until her death.

The blood of Puritan ancestors coursed proudly through her veins, and her nobility and purity of character and loyal devotion to duty through life, testify that the modest maiden drank deeply of the dauntless spirit which has given the Green Mountain State deserved prestige, and made her sons and daughters everywhere pioneers of an advancing civilization. Her ancestors served in the war of the Revolution, and shared the glory wrested from defeat on Bunker Hill. Her family were friends of the illustrious Lovejoy, the story of whose martyrdom stirred her sensitive soul to its profoundest depths. She perceived that the laws as they then existed were

far from being just and equal, and that oppression intrenched in the law itself is the most insidious and dangerous foe to liberty.

She was educated in Kenosha and Elgin, engaged for a time in teaching, and, in 1852, married Mr. James B. Bradwell. Mrs. Bradwell began the study of the law with her husband, not then contemplating a public career, but regarding it as a means of mental discipline and of extending her education into a most important and greatly neglected field. Her study, however, impressed her strongly with the disgraceful but obvious fact that the rights of woman, especially as a *femme covert*, were not properly protected by existing law, and that there was ample opportunity for a woman, wise to plan and persistent to pursue, to aid her sisters in obtaining equal rights and opportunities before the law, and in opening to woman all appropriate fields of human activity and usefulness. So far as a conscientious and loving devotion to the duties of a wife and mother permitted, she devoted her mature life to this, her chosen work. Refused admission to the bar by the Supreme Court of Illinois because she was a woman, and, therefore, disqualified to practice law, she carried her case to the Supreme Court of the United States, where her cause was championed by the eloquent and erudite Senator Matt Carpenter, whose profound argument in that case attracted wide attention and

critical comment. That august tribunal, Mr. Chief Justice Chase dissenting, affirmed the judgment of the Court below. This opinion was promulgated in 1873, eight years after the close of the war of the Rebellion, during which woman had formed and carried on more than thirty thousand societies and associations for the relief of her brothers in the field; had raised and disbursed in that patriotic work about thirty millions of dollars; had nursed sick and wounded soldiers in a hundred hospitals; had "carried lint and the blessing of her shadow" across many bloody battlefields, and by her generous self-sacrifice had saved to the army and to their friends the lives of at least fifty thousand patriots. *Tempora mutantur, et nos mutamur in illis.*

About twenty years later the Supreme Court of Illinois, of its own motion, granted to Mrs. Bradwell a license to practice law, and in 1892, upon the motion of Attorney-General Miller, she was admitted to practice before the Supreme Court of the United States.

In 1868 Mrs. Bradwell began the publication of the Chicago Legal News, the first legal newspaper edited by a woman, which she personally conducted until the time of her death. In spite of dismal prophecies of an early and utter failure, her indomitable energy and unfaltering courage triumphed over all obstacles, and she soon had the

supreme satisfaction of knowing that her paper was recognized as one of the most valuable legal periodicals in the country. The Bar of Chicago will not soon forget the intrepid woman who thus won their respect and cordial regard.

In all measures for the benefit of humanity, in all patriotic endeavor and in all philanthropic purpose, Mrs. Bradwell took a deep and abiding interest. To the advancement of woman and the recognition of her equal rights before the law she devoted herself assiduously for many years. Not ostentatiously, not by violent declamation and severe censure, not by sarcasm and invective, but in her own quiet and sagacious manner she removed obstacles, secured hearty coöperation, awakened sympathy, and marshaled forces to aid in accomplishing the desired result.

At the soldiers' fairs held in Chicago in 1863 and 1865, she was deeply interested and actively engaged. She was the first woman admitted to membership in the Illinois State Bar Association and the Illinois Press Association; she was a charter member of the Soldiers' Home, the Illinois Industrial School for Girls, the Washingtonian Home, and the first Miriam Chapter of the Eastern Star; was a member of the Woman's Club, the Daughters of the American Revolution, the Grand Army Relief Corps, the National Press League, and the Woman's Press Association,

and was one of the Board of Lady Managers of the World's Columbian Exposition.

With all her activity and versatility, although doubtless gratified by the wide and generous recognition of her public services, she was not greedy for popular applause. With a calm confidence in the final triumph of justice, she quietly and courageously pursued her way, knowing well that bud and blossom are a sure prophecy of following fruitage.

She was generous enough to rejoice heartily in the success of others, even if their methods were less judicious than her own, and the folly of those who toil assiduously and constantly for others with the mint, anise and cumin of speech, forgetful of the weightier matters of the great law of beneficence, drew from her no unkind comment.

Mrs. Bradwell was full of noble impulses, fond of congenial companionship, dignified, but cordial and frank in her manners, tempering incisive speech with pleasant jest and kindly humor. She was a devoted wife, an almost ideal mother, a true and steadfast friend. In her quasi public career she retained intact that womanly delicacy and refinement of manner which are the charm of womanhood and the secret of its marvelous power.

Mrs. Bradwell was never actively engaged in the practice of the law, but her influence upon our profession and the age has been more potent, and will

be more lasting and beneficial than many an eloquent advocate who has worthily won and worn the laurel wreath of undying fame. It is peculiarly fitting that in this annual memorial volume we place on record our high appreciation of her character and attainments, and make a fitting acknowledgment of the work accomplished by our sister, of whose achievements we are justly proud and whose memory we shall ever tenderly cherish.

Mrs. Bradwell was a firm believer in the immortal life beyond and yielded willing obedience to the sanctions of religion, but she also realized that to labor is to pray, and that the service most acceptable to the Father is loyal and loving service to His children. For creed and dogma she cared little, but with a sublime trust in God echoed the devout and comforting words of Whittier :

“I know not where His islands lift
 Their fronded palms in air ;
 I only know I can not drift
 Beyond His love and care.”

And so, after a life full of well doing, having already seen the ripening fruitage of her toil, and rejoicing in the partial fruition of her hopes; while yet in the midst of a useful career, she was summoned by the Judge of the quick and the dead, and, with brave but tender and tremulous farewells on her lips,

passed peacefully over the dark river and up the shining heights on which forever lingers lovingly the soft splendor of

“The light that never was on sea or land,”

where she awaits our tardier footsteps. Twining the laurels she won with the cypress of our grief, we lay upon her tomb a tender tribute to the memory of one who wrought earnestly, wisely and successfully.

E. B. Sherman.



HUGH ALEXANDER WHITE was one of the solid men of Chicago, the scene of his business life, and of Evanston, the place of his residence for upwards of thirty years, and where he resided at the time of his death, March 25, 1894, after a short illness. He was a believer in work, and one of his most prominent characteristics even from childhood was his unremitting industry. It was not a hardship for him to work, it was a pleasure. He did not believe in royal roads to success in life, or in short cuts. There was, consequently, no time in his life when he was not successful to the measure of his undertakings. He was one of those who, if he thought he could go a mile, could go two. He did not lack ambition, but it was not for display—not to shine for a time—it was to go steadily on in the discharge of the duties belonging to the trusts reposed in him, reaping the rewards he knew were sure to follow. Such was his dislike to intruding himself upon public attention that he would never consent to being written up, and so seldom talked of himself that the writer of this sketch, though intimate with him for nearly thirty-five years, knew little of his early life except what was gained from others, and

whatever his successes in his business he seldom talked of them by way of self-gratulation. He was a public spirited man, and took an active part in bringing about better conditions, the enactment of better laws and greater fidelity in their enforcement. By the thoroughness of his investigations into the subjects committed to him, and the practical nature of his suggestions for reform, he rendered most valuable service. He was clear-headed, outspoken and sturdy, and left no one in doubt where he stood.

Mr. White was born near Quincy, Illinois, in 1830. Both his parents having died before he was nine years old, he was left to the care of his maternal grand-parents. He was brought up on a farm in the neighborhood of Quincy by his uncle by marriage, Moses Guthrie. He was educated in the Illinois College at Jacksonville. From there he went to Quincy and entered the law office of Williams, Grimshaw & Lawrence as a student, where he remained until he came to Chicago in 1856, and opened the law office of Williams & White. His partner was Archibald Williams, the senior member of the firm with which he studied, and who was at about that time United States District Attorney, one of the great lawyers of that day, the day of great lawyers in Illinois.

Mr. White continued in the active practice of the law, trying cases in court until about 1874, when, in

consequence of an affection of the throat and a large increase in his office business, he discontinued his court practice and confined himself to the more profitable and congenial business of managing the several large estates that had been entrusted to his care, examination of abstracts and other office business. Among the estates which he managed were the Allen C. Lewis estate, which grew in his hands to its present magnificent proportions; the Bigelow estate, the DeHaven estate, and the Francis C. Sherman estate. To the management of these estates he brought that same conscientious, painstaking care, executive ability and strict integrity that marked his whole business life. He wanted no unfair advantage of others, and he did not allow others to take unfair advantage of him. The upright found it very agreeable to do business with him, but the quibbling and dishonest were sometimes made to regret that they had shown these undesirable traits to him.

Mr. White was married to Catherine McIntosh Sands, of New York, in 1860; she survives him. They had no children. Soon after their marriage they moved to Evanston, and not long after that erected the beautiful home where they lived to the time of his death, and where his widow continues to reside. Mr. White was a great lover of flowers, among which many of his early morning and evening hours were spent in their culture. His grounds,

half a block on Ridge avenue, one of the most beautiful streets in the town, have ever been the pride and delight of the people of Evanston.

He was a connoisseur of pictures, and a great lover of books. His house was well filled with the best paintings of the masters, and his library was well stocked with rare and most valuable books. There were few men better posted upon almost every topic, or who could talk more entertainingly, than Mr. White. He cared little for general society, and did not aspire to office. His pleasure was in his home, which he provided with every luxury, where, in company of his devoted wife, whom he delighted to honor, and to whom he left his fortune, he spent the hours of leisure among his flowers, his books and gems of art.

By the generosity of his widow, his library of miscellaneous and law books is now the property of the University of Chicago.

Harvey B. Hurd.



CHARLES WADSWORTH GRIGGS.—Among the well-known members of the Chicago Bar who have been called hence during the present year, was Charles W. Griggs. He was born at West Troy, New York, December 17, 1843. His parents were Ira Griggs and Alida Mabie Exceen Griggs. The family came from Connecticut. The father was by occupation a machinist, and the son inherited from him an aptitude and skill in mechanical matters which enabled him readily to comprehend and deal with the requirements of controversies over patented inventions. The family of Mrs. Griggs traces its lineage back to Holland, and a worthy Dutch ancestry. The Exceen family was among the early settlers in the Mohawk Valley of the Empire State. Charles W. Griggs was educated in the common schools and in the Utica Academy of Utica, New York. He was of a studious, thoughtful disposition, and readily mastered the subjects to which he turned his attention. He came to Chicago in 1858, and at first engaged in mercantile pursuits; but in his eighteenth year he manifested a strong inclination to study law. His family favored this disposition; and on August 27, 1861, he entered the office of

C. C. Bonney. He completed his studies and was admitted to the Bar on December 17, 1864. He remained associated with Mr. Bonney for many years; and it is not too much to say that he was as thoroughly versed in the high and difficult arts of pleading and practice as any other man of his age at the Chicago Bar. The papers prepared by him were models of excellence, both in matter and in style. From the date of his admission until 1869, he was associated with his legal preceptor under the firm name of Bonney & Griggs. In that year, Mr. J. Edwards Fay was associated with them under the style of Bonney, Fay & Griggs, and this association continued until the new firm of C. C. & C. L. Bonney was formed. Mr. Fay and Mr. Griggs continued practice under the firm name of Fay & Griggs until the death of the latter.

When the Kingsbury Block ceased to be an office building, Mr. Bonney and Mr. Griggs removed to what was then known as Lombard Block. After remaining there for several years, they removed to the City Bank Building, and remained there associated with Mr. Fay until the destruction of the city by the great fire of 1871. When the Commercial Bank Building was completed, the firm of Fay & Griggs removed to that building, where they were engaged in active practice at the time of Mr. Griggs' death.

These incidents are mentioned with the belief that they will be interesting to the profession here. When Mr. Griggs commenced the practice of law, the Circuit Court was held by one judge, Hon. George Manierre, and the Superior Court by three judges, Honorables John M. Wilson, Grant Goodrich and Van H. Higgins. All these judges, and most of the lawyers who practiced before them, have been called to the Bar of the Eternal Justice. Only a few of the profession who were then in practice now remain.

Mr. Griggs soon drew around him a clientage so large in number and so high in character that if he had possessed the money-making faculty, he would have found no difficulty in acquiring that reasonable fortune which the faithful and industrious lawyer must always really earn in the pursuit of his profession. The mind of Mr. Griggs was over-cautious, and he was always inclined to underrate the value of his services. He was not an orator, but he had a direct and forcible way of expressing his views in court, though his preference was always for the office rather than the court.

Mr. Griggs was a member of the Reformed Dutch Church, now known as the American Reformed Church, and in the proceedings of this Church he always took an active and influential part. Although of a social nature, he was extremely retiring in his

manner, and sometimes seemed to lack the self-assertion generally deemed necessary to success. Mr. Griggs was married in 1870, to Emma, daughter of Edward Walter, of Chicago, who survives him with two daughters, Elizabeth and Gertrude. If Mr. Griggs had looked forward to anticipate this event, his desire certainly would have been that anything said of him should be marked by extreme simplicity; that it should be characterized by an adherence to material facts, and should be devoid of words of mere eulogy. This brief sketch is therefore submitted without further amplification as a simple compliance with the duties of the occasion, and as in strict harmony with the leading characteristics of the person in whose honor it is presented.

Lyman M. Paine.



WILLIAM W. FARWELL.—If all men were like the late Judge William W. Farwell, there would be no use for courts, or jurors, or jails. He was pre-eminently a just man.

While in a degree modest and unassuming, so predominating was his sense of justice, that he pursued the right as he understood the right, with firmness of purpose rarely equaled. With a clear intellect and knowledge of the law, added to his moral qualities, he was a safe counselor and guide. Understanding his qualities as a citizen and as a lawyer, the people of Cook County, and especially the Bar of the City of Chicago, placed him upon the bench by almost unanimous consent.

Though not of a robust constitution, his correct and regular habits of life enabled him to reach a ripe old age; and when, in the order of nature, the time came for him to depart hence, the community in which he had long lived sustained a serious loss, as it always does by the death of an exemplary character, whose influence while living was always on the side of right and justice.

Such characters are not now, and never have been since my recollection, too numerous; and when one

dies a valuable member of society is gone, and one less remains as an example and guide worthy of all imitation.

Sydney Smith.



OTIS KING A. HUTCHINSON. By the death of Otis King A. Hutchinson, on June 16th, A. D. 1894, the oldest existing law firm in Chicago was dissolved.

Otis King A. Hutchinson was born in Royalston, Massachusetts, February 14, A. D. 1828; he studied law with Judge Gibbons in Philadelphia, Pennsylvania, and was admitted to the bar in that city, where he practiced his profession for several years. In the year 1858 he came to Chicago, and became a member of the Chicago Bar, and in 1868 formed a partnership with William M. Luff, which continued twenty-six (26) years, to the date of his death.

He was married to Catharine R. Engs, of Newport, Rhode Island, in the year 1862, who survived him for a few months only, and who died December 2, A. D. 1894. They leave them surviving two (2) children, Otis King A. Hutchinson (a member of the Chicago Bar, and successor to the firm of Hutchinson & Luff), and one daughter, Elizabeth Hutchinson. William M. Luff, the partner of Mr. Hutchinson for so many years, survived him for a few months only, and died October 9, A. D. 1894. During the last two years of Mr. Hutchinson's life, his health was

feeble, and he was compelled to relinquish the active prosecution of his practice to Mr. Luff and his son, and during the last few months of his life he sought rest and renewed strength in the quiet and retirement of a sanitarium in Wisconsin, but without avail.

Mr. Hutchinson was a man of marked ability, uprightness and integrity. He was connected with many cases of prominence during his connection with the Chicago Bar, and had a wide practice. He had the confidence of his many clients, and served them faithfully ; indeed, few lawyers were so persistent in the prosecution of their causes. With singleness of purpose, he threw himself unreservedly into his client's cause and advocated their interests, as if success was a matter of moral principle, and failure a gross perversion of justice. Although kindly in spirit and gentle in disposition as a little child, he was rigid and inflexible when his clients' interests were at stake.

By his death the Bar loses one of its oldest and most respected members, and the community a wise and most trusty counsellor and advocate.

David Fales.



THOMAS S. WRIGHT.—The life that is complete has no antagonism with death. Life and death blend in harmony when ripened age leads life back into the mystery whence it came. The soul that has sped its full flight through life vanishes from earth, not in blackness and regret, but, even as it came, “trailing clouds of glory” toward its home. The end is but the completion of the beginning; the fulfillment of the promise of birth. The plan of such a life is perfect, and we bow to death as the complement of life.

But the snapping of a life in its prime—the sudden snatching away of a soul that is young—not only moves our tears, but baffles our logic. Our mental grasp fails to reach the meaning of such a fact, and to our searching “Why?” we find no answer in the scheme of life. In such a scene, to the finite mind, death is an intruder, disturbing and confounding, instead of assisting and completing, the divine plan.

So death came to Thomas S. Wright. At an age when manhood is ripe for deeds; in a position in his profession where past achievement furnished a pedestal from which to look forth to broader fields of future effort; with the years bright behind him, and

fairer in prospect; suddenly, without warning, it came.

Thomas S. Wright was born September 29, 1844, at Keosauqua, Iowa. There was the blood of achievement in his veins. His father, Hon. George G. Wright, in the face of adverse fortune, and in spite of grievous bodily infirmity, fought his pioneer way through the young but puissant commonwealth to a place in the United States Senate, and a seat on the Supreme bench of Iowa, and still lives, an honored Nestor of his State. The country which honored the father received sacrifices of the son, and, in 1863, not yet nineteen years of age, he rode to the front in the uniform of the Third Iowa Cavalry. He fell a victim to "the hideous crime of Andersonville," and carried through life, in impaired health, daily and painful memories of that atrocity. The close of the war found him, still a boy, with the rank of adjutant. The disturbing influences of army life had given no bent of indirection to the young man's course, and, with characteristic promptness and application, he devoted himself to the study of law. Graduating from the law department of the Iowa State University in 1867, he entered into partnership in Des Moines with Thomas F. Withrow, then official reporter for the Supreme Court of Iowa, afterwards for many years a distinguished member of this Bar, whose sudden and untimely death was, only a year

ago, commemorated in these memorials. In 1873 Mr. Withrow removed to Chicago, becoming the General Solicitor of the Chicago, Rock Island and Pacific Railway Company. Mr. Wright succeeded to the law practice of the firm, and from that time till 1886, in connection with his general practice, represented the same railway company as its local attorney. Success was an early and constant companion in his professional career. As a member at different times of the firms of Gatch & Wright, Gatch, Wright & Runnells, Wright, Gatch & Wright, Wright & Wright, and Wright, Cummins & Wright, he readily became, and easily remained, one of the leaders of the Bar of his State. The growing business of his railway client finally demanded all his time, and, in 1866, he was made its Division Solicitor at Des Moines, in charge of its legal matters in Iowa. Three years later he was promoted to the position of General Attorney for the lines in Illinois and Iowa, and came to Chicago, in association, again, with his first law partner, Thomas F. Withrow, who had become the General Counsel of the Company. On the death of Mr. Withrow, in 1893, the duties of the office of General Counsel devolved upon Mr. Wright. While on the business of his client, in the city of New York, on the evening of July 26, 1894, he met death by accident.

A memorial such as this should, as nearly as may

be, photograph its subject. It would not be like the man of whom I write, and, therefore, would be inappropriate, to amplify or adorn the few facts thus simply told. His successes in the forum; his achievements in the less showy but more substantial work of the office and counsel room; the vastness of the interests he so ably served—these are facts which he would not, and which we, in justice to his character, should not, advertise. Modesty strongly marked his life, and ostentation shall be absent from his obituary.

It is permitted to me, however, to speak of his character; and his worth, as a lawyer and a man, may well receive the tribute of these pages.

He was, in the truest and broadest sense of the term, a lawyer. Not the office of advocate or the function of counsellor alone marked the limit of his powers. Effective, resourceful, aggressive and successful in the battles of the courts, he was always safe, judicious and sound in counsel. With an industry which, even in this day of the making of many books, exhausted investigation into every important question presented to him, he combined a lucidity and strength of reasoning that, even in the absence of precedent or authority, led him logically to the end of the most involved legal labyrinth. His client's cause received the highest service of a vigorous, well-equipped and honest mind. Nor was

this all ; for to the service of such a mind was added the persuasive and compelling influence of high character. Mr. Wright was not well known to this Bar. The shortness of his career among us, and the absorbing duties of a position which made of him an adviser more than an advocate, prevented that. But in the forum where he was known, an argument by him had greater value than belonged to his reasoning alone, for it had the aid of the weight and force of a lofty manhood. One of his latest achievements was to present to that Court a petition for rehearing in a cause to which his company was not a party, but in which the Court had rendered a decision that affected adversely every railway in Iowa, and to win a reversal of the judgment. The reports of that State show that this was not his only victory of the kind.

What shall we say of him as a man ? In the filial, conjugal and paternal relations his life was ideal. In the midst of a busy career, burdened with heavy responsibilities, and filled with ambition for high achievement in his profession, he yet found time to render to parents, to wife and to children, the fullest measure of affection and companionship. In this grasping age, when the greed of fame or fortune so often dries up that side of a man, this constant devotion to the homely ties deserves more than passing notice. It outlines the rounded completeness of our dead friend's character.

In the daily relations with his fellow-men, he was always the genial gentleman. His nature was full of human interest, and he never repelled the genuine advances of his fellows. This kindly interest in others induced a tax on his time, which was cheerfully paid, and which accentuated his capacity for accomplishment. To his associates in professional work he was the most considerate and helpful of men, and the writer of this sketch, who had the benefit and pleasure of an association with him for an all too short a period of over five years, mourns his loss as that of a great and good teacher.

And now he is gone—gone while the heart was strong and hope was young. The meaning of the mystery of his taking off is beyond our human comprehension. We can only bow to the inscrutable decree of the Power that is; and while in our grief there may be unconscious rebellion against the edict we can not understand, we find comfort in the reflection that he whom we knew honored this life, and was worthy of the life that is beyond.

Robert Mather.



CYRUS MADISON HAWLEY was born on the 27th day of January, in the year 1815, in Cortland County, in the State of New York. His ancestors were of Norman origin, and resided in Derbyshire, England. The first of the family that came to America was Joseph Hawley, who arrived in Boston, Massachusetts, in 1640, and was accompanied by his brothers Francis and Jonathan. Joseph Hawley settled in Stratford, Connecticut; one of his descendants was Major Hawley, of the Continental Army during the War of the Revolution. Another descendant, who served as a Continental officer, was Captain Francis Hawley, the great-grandfather of Cyrus Madison Hawley. Another member of this family was Governor Charles Hawley, of Stamford, Connecticut.

The father of the subject of this sketch was Lewis Hawley, born February 5, 1778, who married Sarah Tanner, of Newport, Rhode Island, and settled in Cortland County, New York. He was related to General Joseph R. Hawley, who was elected to the United States Senate from Connecticut.

Cyrus M. Hawley married a Miss Fellows, daughter of Hon. Henry Fellows, of Monroe County, New

York. She was a granddaughter of General John Fellows, of the Continental Army, who commanded a brigade at the battle of Saratoga. A son and a daughter were born to them, who still survive, the daughter now being Mrs. Charles Bamford. Mrs. Hawley died many years ago, and in 1893 Judge Hawley married Annie Loomis, who now survives him.

Cyrus Madison Hawley was nominated as a candidate for Congress in 1846 against Judge Duer and General Huff, but Judge Duer was elected by a majority of about three hundred.

Mr. Hawley came to Chicago in 1847; he was admitted to the Bar of the State in 1849, and to the Bar of the Supreme Court of the United States in 1862. He engaged in the active practice of the law, and became associated in business with Hon. Lyman Trumbull and George Trumbull. For many years he enjoyed a fine and lucrative practice, numbering among his clients many of the leading business firms of Chicago.

While he was closely devoted to his profession, he nevertheless took an active interest in all public affairs. At the outbreak of the Great Rebellion, when the necessity for an increase in the currency became imperative, he wrote a series of articles for the public press under the nom de plume of "Madison," advocating the duty and the right of the Government to

issue United States Treasury Notes to meet the immediate necessities of the administration caused by the emergencies of warfare. These articles attracted much attention, and served a most useful purpose by shaping the public sentiment in favor of a measure of vital importance. He also wrote many articles demonstrating the fallacy of the claims of the Secessionists in the South, and their sympathizers in the North, that the Southern States had the right to withdraw whenever they pleased so to do. These clear and logical presentations of the principles involved in the contention contributed materially to the right understanding by the body of the people of the vexed questions which had been so much beclouded by prejudice and misrepresentations. During the entire struggle for the preservation of the Union he continued to present to the people through the public press such sound reasons and lucid demonstrations in support of the various measures adopted by the Government for its maintenance that the despondent were encouraged, the doubters convinced, and the depressing influence of the dark days of the Rebellion so largely overcome, that it may be truly said of him that he served his country more effectively with his pen than he ever could have done by the sword if he had joined the armed defenders of the Union.

On April 15, 1869, he was appointed a Justice of the Supreme Court of Utah. Soon after his arrival

in Utah he was present at a reception given by Mr. and Mrs. F. H. Head to Hon. William H. Seward. Brigham Young was also present. When Justice Hawley was made acquainted with Brigham Young, the Chief of the Mormons assumed an air of imperious dignity as he extended his hand and said in a dramatic manner, "Sir, I hope you have not come here, as other Judges have done, to persecute my people." Justice Hawley, with quiet courtesy, replied, "Sir, I have not come to persecute the people of Utah, but to administer the law as I find it." This was the only time that they ever met, except when Young appeared in court as a party defendant.

One of the earliest of the judicial decisions of Judge Hawley was that in which he reversed the former decisions of the District and Supreme Courts in which the right had been conceded to the Legislature of the Territory of passing enactments extending the jurisdiction of the Probate Courts, so as to include common law and chancery proceedings. An appeal from this decision was taken to the Supreme Court of the United States, where Judge Hawley's decision of reversal was sustained. His opinion in this proceeding gave rise to active hostilities towards him on the part of the Mormon officials, and the Mormon press was very bitter in its attacks upon him. This hostility and newspaper opposition to him continued after the Supreme Court of the United

States had sustained his action. Under the influence of the Mormon power Judge Murdock of the Probate Court resumed his jurisdiction in common law and chancery in open defiance of the Supreme Court of the United States. This action was brought to the knowledge of Judge Hawley by an information; upon a full hearing in the matter he issued a writ of prohibition against Probate Judge Murdock. This action caused further opposition from the Mormon powers, and more spiteful attacks by the Mormon press soon after.

A regiment of Mormon militia assumed a position of hostility to the government, and began to commit acts of rebellion. The Governor of the Territory applied to Judge Hawley in a proceeding charging rebellion. Whereupon the Court issued a writ to the United States Marshal commanding the arrest of the officers who had committed the acts complained of. This caused much excitement in Mormon circles. When the officers who had committed the rebellious acts were arrested by the United States Marshal, an excited and angry crowd of many thousands assembled around the Court, and by threats and efforts of an intimidating nature attempted to prevent the further action of the Court, but in spite of the threatening demonstrations the prisoners were held to the Grand Jury. They refused to give bail, and were thereupon remanded to custody, and were held

by the Marshal in spite of the threats of the Mormons.

One of the most dramatic events which occurred during his occupancy of the Supreme Court bench in Utah was the conviction and execution of one of the Mormon officials who had been the leader in the Mountain Meadow massacre which had taken place many years previously, but the offenders had never been punished, and the Mormon power was so great that no Federal officials had ever been able to reach the offenders.

The Mountain Meadows lie in a beautiful valley of the Sierras in Utah, some distance south of the Great Salt Lake. The streams that feed the Rio Virgin rise here, amid luxuriant grass and brilliant wild flowers.

In the midst of this scene of verdure and floral beauty rises a rough pile of stones, surmounted by a rude cross bearing the inscription: "Vengeance is Mine and I will repay, saith the Lord."

A strange sight in such a peaceful spot, but a stranger still was the fearful massacre that they commemorate. No fouler crime ever disgraced the annals of any country than that perpetrated by the Mormons in this valley of flowers.

Early in the summer of 1857 a large emigrant train left the Missouri River to march overland to California. They carried their wives and children

in their wagons, and drove large herds of cattle. Their progress was slow and wearisome. They were well equipped and fully armed, as they expected to pass through regions occupied by hostile Indians. As many of the party came from that portion of the State of Missouri from which the Mormons had been previously expelled, they naturally had a decided prejudice against the Latter-Day Saints. One of the conspicuous advocates of polygamy in early days was Mr. Pratt, who was one of the "Twelve Apostles" of the Mormon Church. He induced a Mrs. McLean to desert her husband in Arkansas and elope with him to Utah as one of his wives. She pined for the children she had deserted, and persuaded Pratt to go back to Arkansas to obtain them for her. There he was killed by the outraged husband and his friends. Among the emigrants in this train were quite a number of families that came from the immediate vicinity in which the McLean episode occurred. This came to the knowledge of the Mormon officials, and preparations were commenced for a hostile reception of the emigrant train. Spies were sent to watch the movements of the train, and the Mormons were forbidden to furnish any supplies to the emigrants. Brigham Young was the head of the Mormon Church. He had organized a military force which was called the Nauvoo Legion. Such companies of this organization as were considered to be

most suitable for this service were detailed for duty, and the captains were ordered to operate against the emigrants. They came upon them just as the train had entered the valley and encamped for the night on the Mountain Meadow. A portion of the Nauvoo Legion, painted and disguised as Indians, occupied the high ground surrounding the camp.

At the first glimmer of dawn the guards of the emigrants' camp discerned the dark forms moving on the surrounding hills and gave the alarm, believing that they were attacked by Indians. With great promptness the emigrants wheeled their wagons into close order in an oblong corral, then with shovels and picks threw up a breastwork of earth against the wagon wheels. This was done so quickly that the plan of the attacking party was frustrated, though seven of the emigrants were killed and fifteen wounded by the fire of the attacking force while thus fortifying their position. The Mormons then threw up breastworks on the surrounding hillsides, and kept up a continuous fire on the emigrants during the ensuing day, which was returned with spirit. The cattle and stock inside the corral were shot down, and the main herd outside was stampeded by the Mormons. The besieged emigrants soon began to suffer from thirst. A stream of pure water ran within a few rods of the intrenchments. Every attempt to reach the water drew the fire of

the sharp-shooters on the hillsides. A woman who ventured out, in her distress for water, was riddled with bullets, and two little children who attempted to reach the water were also shot by the besiegers. For seven days the gallant defenders held out against the greatly superior numbers. They sent out three brave fellows who volunteered to make their way through the besiegers' lines, to try and obtain relief from some source. All bore letters explaining their distressing situation, stating the names, professions and number of the emigrants, but all three of the couriers were captured and killed. The besiegers, finding that they could not capture the emigrants by fair means, resorted to strategy. A train was seen by the eager emigrants coming down the valley, waiving a white flag. The besieged embraced each other, in their joy at the apparent deliverance, and rushed out to meet their supposed friends, who proved to be an armed body of the Mormon militia, led by John D. Lee, a Bishop of the Mormon Church, and a Major of the Nauvoo Legion. They carried the United States flag, and the emigrants fondly believed that under its folds they were safe. Lee spoke kindly and assuringly to them—saying that he would confer with the besieging force—then withdrew to do so. He soon returned, saying that the besiegers would withdraw if the emigrants would lay down their arms and march out. As they were

induced to believe they would be protected by Lee's force, they consented to this. An armed guard was formed for their protection. The men were first marched out, then the women, and after them the children. Suddenly the troops were ordered to halt. Then John D. Lee gave the order to fire. Volley after volley was fired by the troops upon the unarmed men, women and children, until all of the emigrant party but a few children were killed. The number thus massacred was one hundred and thirty-three. Twenty-two had been killed previously.

Two months afterwards the spoils taken from the emigrants' camp were sold at public auction. Bishop John M. Higbee, of the Mormon church, acted as auctioneer. Some of the children that survived afterwards saw the dresses of their massacred mothers worn by wives of the Mormons.

In the following year United States troops occupied Salt Lake City, and diligent search was made for evidence against those responsible for the Mountain Meadow massacre, but without success. The efforts to bring the offenders to justice were ineffectual until Judge Hawley went to Utah. When he became Justice of the Supreme Court, he took such efficient measures in the matter that John D. Lee was soon indicted, tried, and condemned to death. He was shot at Mountain Meadow, on the exact scene of the massacre, on March 23, 1872.

Bishop Lee made a confession before his death, in which he intimated that those high in authority in the Mormon church not only ordered the massacre, but suggested the treacherous decoying of the victims out of their entrenchments.

The efficient enforcement of tardy justice in this, and other similar matters, caused the officials of the Latter Day Saints to feel very bitterly toward Judge Hawley. At the close of the judicial term of office of Justice Hawley, the Mormon press, which had been so severe in its antagonism to him, concerning his judicial acts, candidly praised him for his judicial ability, fearlessness and honesty, while they persisted in accusing him of being prejudiced against their religious belief.

Just prior to his departure for the East, he was the recipient of a complimentary banquet, given by the Bar of the territory, on April 11, 1873, at the Walker House, Salt Lake City. The officers of the United States Army, stationed at Camp Douglas, also participated in the offering of this courtesy to Justice Hawley. The Mormon press, in their notices of the banquet, say: "While Judge Hawley has been on the bench of the United States Court in Utah, he has, by his ability, integrity and professional learning, added lustre to its history. He has ever been a laborious, studious and attentive jurist, with a happy faculty of dispatching business, and his opinions have

always been marked with candor, clearness, and comprehensive thought. On his retirement from the bench it was eminently fit that the Bar should unite in testifying their regard for the Judge as a jurist and gentleman. We shall not soon find a gentleman who can worthily fill his place."

Upon his return to Washington, D. C., he resumed the practice of his profession, and formed a partnership with Hon. A. G. Riddle, under the firm name of Hawley & Riddle. The practice of this firm was confined to the Supreme Court of the United States, and to the Department of State.

Close confinement to his professional duties caused an impairment of his health, and in 1879 he retired from active practice, and came to Chicago, settling in Hyde Park. He was elected the president of the Philosophical Society there, and he became a prominent member of the Old Tippecanoe Club, formed in 1888, composed of persons who had voted for William Henry Harrison in 1840. It was a very remarkable organization, as its members were necessarily veterans of advanced age, ranging from sixty-five to nearly ninety years, and several hundred in number, embracing in its ranks many of the most eminent and respected citizens of Chicago. The objects of the club were patriotic, and one of its first acts was the preparation and publication of an address to the young, advocating a higher standard of citizen-

ship. The bond of sympathy uniting the members proved enduring, and increased with the lapse of time, as the ranks were gradually reduced in numbers by the passing away of those most advanced in age.

When Judge Hawley's death occurred, the veterans of the club attended as a guard of honor, and their devotion to their deceased companion was quite pathetic.

When Cyrus Madison Hawley commenced his career as a member of the Bar he soon attained a prominent position in the profession by the force of his natural talents and diligence. When the dark days of the Rebellion made the fate of the Union a matter of doubt to many, his clear perception and strong patriotism made the path of duty and the means of success clear to him, and enabled him to guide and inspire the desponding ones. When he was elevated to the bench his fearlessness in the face of intimidation, as well as the impartiality and ability of his judicial acts, won from those who were opposed to him politically and socially frank admissions of admiration.

When he retired to private life his leisure was devoted to efforts in the direction of promoting patriotism among his fellow-citizens. His career may well be pointed to as a fine example of what the ideal American citizen should be, and his

uprightness as a jurist should serve as an example and an incentive to the aspiring members of the legal profession.

Horatio L. Wait.



HON. BURTON CHAUNCEY COOK, who for over a half century held a conspicuous place in our profession, died at his home in Evanston on the 18th day of August last.

Mr. Cook was born at Pittsford, Monroe County, New York, on the 11th day of May, 1819. He was the son of Rev. Chauncey Cook and Almira Hollister Cook. His father was a Congregational clergyman, and one of the early pioneers in Northern Illinois, having organized a church of his denomination in Aurora in 1835, to whom he preached acceptably for several years, removing from there to Ottawa, where he held his last pastoral charge.

Mr. Cook received his early education in the common schools of the place of his birth, which was supplemented by a few terms at the Rochester Seminary. He came west in 1836, and soon after began the study of the law with Hon. T. L. Dickey, first at Hennepin, and afterwards at Ottawa, to which latter place Judge Dickey removed.

After a careful course of reading Mr. Cook was admitted to the Bar on the 1st day of May, 1840. The late Hon. Joseph O. Glover was admitted to the Bar at the same time; and he and Mr. Cook very

soon afterwards formed a copartnership under the firm name of Glover & Cook, which continued until about 1870.

From his entrance upon the practice of his profession Mr. Cook gave promise of the high position he soon attained. He was studious and untiring in the preparation of his cases, as they came to him, and showed himself apt and ready as well as honest in his methods.

His entrance to the profession was during what may be properly called the formation stage of the law in our State. Between 1833 and 1840 an immense immigration had poured into the northern part of Illinois, mainly from New England, New York and Ohio, but with generous contributions from Pennsylvania, Virginia and Kentucky; and with this tide of farmers, mechanics and merchants came also a plentiful supply of lawyers and other professional men, mostly young and ambitious to achieve name and place in their chosen vocation. They brought with them more thorough methods of preparation and trial in their cases than had prevailed during our territorial and early statehood periods, and compelled closer study and analysis of the law.

At the time Mr. Cook came to the Bar, La Salle county was in what was then known as the Ninth Circuit, which included ten populous and growing

counties extending along the Illinois and Fox rivers, from Peoria to Kane, including both; and located within this circuit was a large number of the best lawyers who have adorned the Bar of this State. The list included such men as Purple and Manning, of Peoria; Dickey, Champlin, and Hors, of Ottawa; Buckingham, of Kendall; Plato and Dodge, of Kane. In fact, nearly every county of the circuit had within it one or more active, pushing young lawyers, many of whom achieved high reputations in their profession.

At this time nearly all the lawyers "traveled the circuit," that is, followed the Judge from county to county around his circuit, and thus the ablest lawyers met in nearly every county where a court was held.

Mr. Cook had the full benefit of the experience and training which came from this Circuit Court practice. There were then but few books to refer to as authority, and the lawyers were obliged to draw chiefly upon their knowledge of general principles, and apply them upon the spur of the moment to the questions which arose on the trial of their cases. It was this kind of practice which made ready lawyers who could call all their resources at once into use, and by this kind of experience Mr. Cook profited and grew with the best. He had a natural aptitude for the discussion of legal questions. His reading in

the line of his profession had been copious. His mind was receptive and discriminating, and he was gifted with a marvelous memory. In the extempore discussions as to what principles or rules of law should be applied to a given fact, or combination of facts, he was always able and lucid, winning the confidence and respect of the Judges by his learning and candor, and of his antagonists by his fairness and courtesy. It may be truthfully said of him that but few, if any, of his contemporaries were more successful than he in securing verdicts or in sustaining them on appeal. Being a learned and careful pleader, his cases were invariably put properly on paper.

In 1846 he was elected by the Legislature to the office of Circuit Attorney for the Ninth Circuit, and held the office until 1852. As public prosecutor, in this large field, he was able and fearless, meeting with great tact, learning and sound judgment all the different and at times delicate duties of his important office.

In 1852 he became professionally connected with the organization of the Rock Island and Chicago Railroad Company, and continued in this relation till 1870. It was during his connection with this road that important and then comparatively new questions arose as to the right to bridge the Mississippi River—it being contended on the part of the steam-boat interests that this great inter-state water-way

could not be lawfully obstructed by a bridge—and in the litigation growing out of this controversy Mr. Cook, with Abraham Lincoln, N. B. Judd and Joseph Knox represented the railroad company, while T. D. Lincoln, of Cincinnati, J. O. Broadhead and Samuel T. Glover, of St. Louis, and Samuel F. Miller, of Iowa, who later became one of the great Justices of the Supreme Court of the United States, represented the opposition.

In this struggle Mr. Cook bore a leading part, and fully sustained himself alongside his distinguished associates. The test case, known as the “Effie Afton Case,” was heard in the United States Circuit Court at Chicago in the fall of 1859, before Judges McLean and Drummond, and resulted in a decision sustaining the right to bridge the river, provided the bridge did not materially and unnecessarily obstruct navigation.

As attorney for the same company, Mr. Cook also took an active and leading part in the early cases before the courts of this State, which largely defined and settled the rights, duties and liabilities of railroad companies under the common and statute law of this State.

In 1871 he was appointed General Solicitor of the Chicago and North-Western Railway Company, which place he filled ably and acceptably until 1885, when his failing health compelled his resignation; since which time he has sought no active profes-

sional employment, but has devoted his time to reading, his social duties and the care of his estate.

These responsible places to which Mr. Cook was called, coupled with the well-known fact that railway companies invariably seek and secure the services of the very best lawyers, are ample and significant testimonials to his acknowledged rank and standing in his profession.

But Mr. Cook was not a mere lawyer. He took an active interest in public and political affairs—was elected to the State Senate in 1852, and remained a member of that body till 1859. He took a high place in the Senate as an able debater and a broad-minded, judicious legislator. He was especially influential and efficient in framing and advocating the passage of the first free school law of this State, and which is the basis of our present free school system.

In the winter of 1861, after the election of Mr. Lincoln to the Presidency, and after secession and civil war became imminent, Mr. Cook was one of the five commissioners appointed to represent this State in the Peace Convention, which met in Washington, and made an earnest but ineffectual effort to reconcile the disaffected States and avert a civil war.

In 1864 he was elected to Congress from the Ottawa district, and was three times successively re-elected to the same responsible office.

It was during his Congressional career that all the re-construction measures and other important legislation consequent upon the close of our civil war were enacted, and in these, as well as in the leading events of that critical period in our history, he proved himself equal to all the demands made upon him.

He was the devoted and intimate friend of President Lincoln, and enjoyed the unreserved confidence of that remarkable man; and was fully in sympathy and accord with his patriotic spirit and policy.

In June, 1848, Mr. Cook was married to Miss Elizabeth Hart, the youngest daughter of Hon. Orris Hart, of Oswego, New York, and his wedded life was in all respects a happy and pleasant one. He was pre-eminently domestic in his tastes and habits, and delighted most in his home, which was a model of conjugal and parental love and affection. They had but one child, Ellen E. Cook, who became the wife of Charles H. Lawrence, one of the promising young lawyers of Chicago. Both the wife and daughter died several years ago.

Early in life Mr. Cook identified himself with the cause of religion by uniting with the Presbyterian Church; and while always an ardent and consistent member of that body of professed Christians, he had at all times a liberal sympathy with all who were either individually or collectively interested

in the teaching and practice of religious life and conduct.

He was scholarly in his tastes and habits, and read much in the fields of poetry, literature and history. His life was a constant exhibition of kindness, courtesy and helpfulness toward his fellows.

To those who knew him well perhaps the one trait of his character which showed most prominently was loyalty. He was loyal to his friends, to his profession, to his clients, to his country, and to his Christian faith.

Living, as he did, in an era of events which have already become historic, he did his full share in controlling and shaping the course of those events, and was always an active force for right and justice. He loved and honored his profession, and it is fitting that this Association honor him with this brief tribute to his memory.

Henry W. Blodgett.



WILLIAM E. CLARKE, JR., after bravely combatting a lingering illness at home and in distant climates, died at the residence of his parents in Chicago, October 6, 1894, aged 27 years. After passing through the public schools of Chicago, the place of his nativity, he entered Amherst College in 1885, from which he was graduated in 1889.

His devotion to his studies placed him among the leaders of his class, but did not curtail his disposition to good fellowship, a marked characteristic with him at all times; and this disposition, together with what he considered a robust constitution, made him also a noted leader in field athletic contests with representatives of other colleges, wherein his part was not a minor one in gathering fame for his alma mater, whose reputation he dearly cherished in all of her varied interests.

His disposition toward public life, coupled with an unusual gift of oratory and fondness for study, led him to prepare for the legal profession, which he did by entering the law office of Pedrick & Dawson in 1890 and concurrently attended upon the law lectures of the Northwestern University Law School, from which he was graduated in 1892, and was shortly

thereafter admitted to the Bar, where he had excellent success for one so young, and one year later became a member of the law firm of Pedrick, Dawson & Clarke.

In politics Mr. Clarke was an active and ardent Republican from a very love of the party as it seemed to the writer, in social life a favorite, and in daily life an honest man, and ambitious for well-doing in all things.

Isaac H. Pedrick.



MAJOR WILLIAM M. LUFF, long a member of this Bar, died suddenly and painlessly on the 9th day of October, 1894. His manhood life, except more than four years devoted to the service of his country, was spent with us. We therefore knew him as well as we can know one another. Each soul stands alone in the great events of its life. No matter how much we may be aided by the advice of friends, when the time for choice comes, each man must shut the door of his heart upon all the world, and within himself and upon his own responsibility, decide the question at issue. Hence, we can know each other but in part; and yet, so sincere and frank was our departed brother and so true was his mind to the commands of his conscience, that his friends always knew what he would do under given circumstances.

When the Rebellion came it found him a young lawyer employed in the office of the late Judge Beckwith. Heeding the call of duty he enlisted in the Twelfth Illinois Cavalry, and remained therein a faithful, brave and patient soldier until the close of the war. It is needless to follow him through those years of hardship and danger. In all the history of

that gallant command he did his part; and in so doing he won the love and confidence of his men and of his brother officers.

Returning to Chicago when his life as a soldier was at an end, he again took up the practice of the law. The most wonderful thing following that long struggle was the quiet way in which men, who for years had known neither peace nor productive labor, without murmuring and without delay, took up the burden of the daily toil which our civilization imposes upon every true man. It was a splendid revelation of the strength of the citizenship, and of the unselfishness of the patriotism of our young men.

In 1866 the Major formed a partnership with Mr. O. K. A. Hutchinson. This relation continued unbroken until the death of the latter in the first half of this year. When the firm was thus dissolved it was the oldest at our Bar. From the first they did a large and responsible business. Their clients, among whom was the Drexel estate, trusted them implicitly with the most weighty matters; and that trust was always intelligently and conscientiously executed. The most faithful servant in the world is the good lawyer, and Major Luff was among the most faithful of his profession. His knowledge of the law was accurate and large. Knowing that nothing comes to the true lawyer without study, he labored incessantly and over-much, to the probable shortening of his life.

In 1878 he married Louise M. Hooker, the daughter of James L. Hooker, formerly of this city. These two had known each other from early childhood. Their marriage was truly a love match, and that love continued unabated until the end, she preceding him less than a year. It was a great pleasure to their friends to see his pride in his wife and to note his careful attention to her slightest wishes. He was always the lover. His home was his world. When she died his ambition was buried with her. They had no children. He had, as he thought, nothing to live for, nothing in which he could interest himself; and so he died, sustained, however, by the Christian's hope that they two should be re-united in the world beyond.

Although his life was a quiet one, home-centered, he took an active interest in public affairs. His duty as a citizen was always performed cheerfully, conscientiously and intelligently. He recognized the inequalities of life, and was charitable and helpful, both with his advice and with his purse, far beyond the common rule. And more than this, he continually did good by being patient and by being good.

And therefore we say unhesitatingly that because our brother did his full duty as he saw it, and cheerfully walked the path laid out for his feet, he deserved and did receive the commendation, "Well done, good and faithful servant, enter thou into the joy of thy Lord."

Farlin Q. Ball.



PHILIP A. HOYNE.—Philip A. Hoyne was born of Irish parents, in the city of New York, on the 20th of November, 1824, and died at his home in Chicago, on the 3d day of November, 1894. He was the third of seven children—three sons and four daughters—one of whom only, a daughter, survives.

Mr. Hoyne was a striking example of what a boy of good character and honest purpose may accomplish without the aid of wealth or liberal education. At the early age of five years he tasted the bitterness of orphanage, and, in absolute poverty, in a great city, began the struggle of life; his early years were spent in the public schools of the city of his birth, and there, at the age of fourteen, he became apprenticed to a bookbinder and pursued that occupation until he had in reserve sufficient means to enable him, with great economy, to come to Chicago and begin the study of law, in the office of his elder brother, the late Hon. Thomas Hoyne, who early achieved distinction in his profession, with such competitors as Caton, Blodgett, Trumbull, Logan, Browning and Beckwith.

It was in the summer of 1841, when Chicago had

a population of less than five thousand people, that the subject of this brief sketch cast his lot with the broad-minded, earnest people who were the founders and promoters of the most marvelous municipal development in the history of the world; but very soon, under the stress of hard times, he was forced to abandon his legal studies and seek employment more immediately profitable; and, with this end in view, he accepted the position of bookkeeper in a large commission house in Galena, a town then thought by many to give more promise of commercial importance than any city in the West.

In a short time, however, the young man's keen discernment discovered greater possibilities in the City by the Lake, and thither, in 1844, he returned as the agent for the St. Louis Fur Company, and remained in that employment for a period of about eight years. While yet in the service of the Fur Company, he was elected Clerk of the Recorder's Court, and during the term of his office, which lasted two years, he resumed his law studies, hoping to make the law his vocation for life.

At the age of twenty-five, he was married to Theresa C. French, a lady of many accomplishments, with whom he lived lovingly for nearly half a century, and whom he survived but a very few months.

In January, 1855, Mr. Hoyne was appointed, by the late Judge Drummond, United States Commis-

sioner for the Northern District of Illinois, and was afterwards appointed by the respective Governors of the various States, and of new States, as they were admitted, Commissioner of Deeds, so that, at the time of his death, he held a Commission from the Chief Executive of every State in the Union, as Commissioner of Deeds. For thirty-nine years, he discharged the important, and oftentimes difficult, duties of his judicial office with such promptness, intelligence and unvarying urbanity as gave him an abiding place in the entire confidence of the Bench and Bar, and won for him, I have no doubt, that highest commendation that comes to any man in the discharge of the duties imposed upon him in life—the approval of his own sense of right.

Mr. Hoyne was a fellow of many Societies; he was prominent in every charitable enterprise; he was a friend of education and of the church; he loved and labored for humanity and, in all the ways of his life, demonstrated the possession of all the qualities and all the graces that enter into and adorn the highest type of gentle and generous manhood.

Mr. Hoyne belonged to a family of great force of character and strength of intellect, and, with devotion to any calling in life, he would have achieved distinction therein. With his broad common sense, his intuitive perception of the right, his accurate measurement of men, his keen appreciation of

humor, his generosity and gentleness, I think it can not be charged to adulation, if I say, this strong, loving and lovable character escaped what men call greatness, only because he loved his fellow-man more than he loved himself. And it was because of this beautiful negation of self, that all who knew our dear, dead friend, lovingly called him "Uncle Phil."

The man dies, but his character does not perish ; the man dies, but the good he does is immortal. " Earth changes ; but thy soul and God stand sure."

W. G. Ewing.



SHERWOOD DIXON, late United States Attorney for the Northern District of Illinois, died at his home, 957 Jackson Boulevard, in this city, December 2nd, 1894, of laryngitis.

Mr. Dixon was born at Dixon, Illinois, November 15th, 1847, and was the grandson of John Dixon, the founder of the City of Dixon, who settled in Lee County, Illinois, in the year 1830, and who was one of the first settlers in Lee County.

Sherwood Dixon pursued his legal studies under the late Judge John B. Eustace and William Barge. He was admitted to the bar in 1868, and in 1869 became a member of the firm of Eustace, Barge & Dixon, one of the best known law firms in Northern Illinois. He was Master in Chancery of the Circuit Court of Lee County for many years, and was President of the Board of Education of Dixon for six years.

Without his knowledge or consent he was nominated as a candidate for Congress in the Seventh Congressional District in 1886, by the Democratic Convention. He was a delegate to the National Democratic Conventions in 1884 and 1892. He was elected to the Legislature of this State in 1889, and

again in 1891. During the latter two years of his service as representative, he was Chairman of the Judiciary Committee of the House, and performed the duties of that important position with rare intelligence, resolution and fidelity.

Mr. Dixon was appointed United States Attorney July, 1894, and entered upon the duties of that important office August 2nd, 1894. Owing to his known integrity as a man, his ability as a lawyer, and his known fidelity to all trusts that had been reposed in him, there was no real opposition to his appointment—the office being practically conceded to him soon after the inauguration of President Cleveland. During his entire incumbency of the office as District Attorney he was in very ill health and his early demise was predicted by those who knew him best and recognized his always frail physical constitution. During his service in that office he discharged its duties with intelligence and fidelity and to the satisfaction of all reasonable people who had business with that office.

In 1869 Mr. Dixon was married to Melissa G. Mead, who assisted him during his married life as only a devoted wife could. He also leaves surviving him three children—Mr. Henry S. Dixon, being now the chief clerk in the District Attorney's office, and two younger children.

In every walk of life and in every station, as a

lawyer, statesman, official, in social and in domestic life, he assumed and faithfully and loyally discharged every obligation resting upon him as a man and a citizen. He was a man of irreproachable character, modest and unassuming, and died as he had lived, a manly man.

Thomas E. Milchrist.



